

## **REMARKS:**

Claims 23-47, 50-52, 54-80 and 86-109 were pending in the application. Claims 60-72, 92-93 and 95-101 have been canceled. Claims 23-47, 50-52, 54-59, 73-80, 86-91, 94, 102 and 108-109 have been amended. Claims 110-120 have been added. Therefore, claims 23-47, 50-52, 54-59, 73-80, 86-91, 94 and 102-120 are now pending in this application.

### **Section § 101 Rejections**

Applicant disagrees with the pending § 101 rejections, but has nevertheless made amendments to refer to “tangible” computer readable media, in the interest of advancing prosecution. Applicant notes that these claims are *precisely* the type of claims approved by the Federal Circuit in *In re Beauregard*. Applicant notes that certain claims are “method” and “system” claims.

### **Section § 103 Rejections**

The Examiner rejected all independent claims under 35 U.S.C. 103 as being unpatentable over Thompson-Rohrlich, U.S. Patent 5,504,852, in view of Vora et al., U.S. Patent 5,819,273. Applicant respectfully traverses these rejections and submits that the presently amended claims are patentably distinct over the cited references.

With regard to the previous version of claim 23, the Examiner states that Fig. 3 of Thompson-Rohrlich indicates a “conventional object” within the window entitled “Nutshell Mail.” *See* Office Action at 4. Presumably the Examiner is referring to the icon entitled “All Mail.” It is not clear, however, that this icon is actually a “conventional object” as recited in claim 23. Although Fig. 3 does not show the “All Mail” icon with the “spectacles” icon, the disclosure appears to suggest that it, too, is a “collection of aliases” like the other icons shown in Nutshell Mail folder 30. *See* Thompson-Rohrlich, 3:39. First, Thompson-Rohrlich states that “[v]iewer are to collect aliases to groups of files such as: [a]ll application programs, [a]ll mail messages....” *Id.* at 1:66-2:2. Thus, this reference lists “all mail messages” as one example of a “collection of aliases.” Thus, when the icon “All Mail” appears within “Nutshell Mail” folder 32

in the context of Fig. 3, the logical conclusion is that this, too, is a “collection of aliases” like the other icons in folder 32. This conclusion is supported by the brief description of Fig. 3:

FIG. 3 shows a representation in a desktop environment of displaying the results of a search and organization in accordance with this invention. In this desktop environment, taken from an Apple Macintosh computer, a special icon 30 precedes folders or objects which store the collections of aliases resulting from a search and organization of aliases in accordance with this invention. For example, the folder "Nutshell Mail" 32 contains collected aliases, and so its folder icon is preceded by the special "viewer" icon 30 resembling, in this embodiment, a small pair of eyeglasses. *Within the Nutshell Mail folder 32, are several "mailboxes," which are a collection of aliases according to certain topic criteria, and therefore their icons are preceded by the special icon 30.* These examples in FIGS. 2 and 3 represent a preferred way of presenting organized collections of aliases to a computer user.

*Id.* at 3:31-47. Applicant thus submits that the “All Mail” folder refers to a “collection of aliases resulting from a search” and thus is not a “conventional object” as in claim 23. First, this passage refers to “mailboxes” within folder 32 corresponding to “collected aliases.” The “All Mail” icon is a mailbox. Second, the description suggests that all of the contents of folder 32 are “collection[s] of aliases,” as it does not provide any separate description of the “All Mail” folder as anything other than a “collection of aliases resulting from a search.” Thus, Thompson-Rohrlich is not believed to teach or suggest “a meta-folder as a type of graphical element, wherein an instantiation of the meta-folder graphical element type is associable with ... *one or more conventional objects*,” as recited in claim 23.

As Applicant has previously argued with respect to Vora, that reference includes no teaching of the recited “meta-folder,” and therefore Applicant disagrees with the Examiner’s statement at page 4 of the Office Action that Vora teaches conventional objects associated with a meta-folder. *See* Office Action at 4. Thus, the proposed combination of Thompson-Rohrlich and Vora would not teach or suggest all of the features of claim 23. In any event, Applicant does not understand the purported motivation suggested by the Examiner for combining Vora with Thompson-Rohrlich—“to better articulate the search criteria associated with metafolders.” *Id.* Because the Examiner has not clearly stated a valid motivation for combining the suggested references, Applicant submits that a *prima facie* case of obviousness has not been made.

For at least these reasons, then, claim 23 is believed to be patentably distinct with respect to the cited references, along with its respective dependent claims. The remaining independent claims and their respective dependent claims are believed to be patentably distinct over the cited references for at least reasons similar to those provided for claim 23.

Dependent claims 44 and 115-120 further distinguish over the cited references. The Examiner argues that Khan, U.S. Patent 6,546,393, teaches the “transfer[ing]” recited in those claims. Khan is concerned with the “ability to bookmark a webpage or website that a user found particularly useful,” Khan 10:64-66, and “[c]reating a website directory” that contains sites of “Internet user’s bookmarks.” *See id.* at 11:5-12. Khan does not appear to teach the “transfer” of these bookmarks, let alone of the recited “meta-folders,” to which Khan bears no apparent relation. For this additional reason, claim 44 and claims 115-120 and their respective dependent claims are believed to be further patentably distinct over the cited references.

Similarly, with respect to dependent claim 110, Applicant submits that the cited reference do not teach that “any conventional objects that have been associated with the first meta-folder have been associated by being moved into the first meta-folder in response to input received via the first graphical interface” and that “the graphical elements representing 1) any conventional objects located as a result of the searching and 2) any conventional objects associated with the first meta-folder are movable out of the first meta-folder in response to input received via the first graphical interface.” For at least this additional reason, claim 110 is believed patentably distinct over the cited references.

**CONCLUSION:**

Applicants submit the application is in condition for allowance, and an early notice to that effect is requested.

If any extension of time (under 37 C.F.R. § 1.136) is necessary to prevent the above-referenced application from becoming abandoned, Applicant hereby petitions for such extension.

The Commissioner is authorized to charge any fees that may be required, or credit any overpayment, to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account No. 501505/6057-06101/DMM.

Respectfully submitted,

Date: March 18, 2008

By: /Dean M. Munyon/  
Dean M. Munyon  
Reg. No. 42,914

Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C.  
P. O. Box 398  
Austin, Texas 78767  
(512) 853-8847